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**OFFICE OF PETITIONS** 

In re Application of

Shuzo Yoshii

Application No. 09/754,625

Filed: January 4, 2001

Attorney Docket No. 250A 3009

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed March 21, 2005, to revive the above-identified application.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action mailed May 19, 2004. A Notice of Abandonment was mailed December 8, 2004.

The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee as required by 37 CFR 1.17(b), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination (RCE) under 37 CFR 114 or the filing of a continuing application. See MPEP 711.03(c)(III)(A)(2).

The amendment submitted with the present petition does not *prima facie* place the application in condition for allowance. See the attached Advisory Action.

Accordingly, the petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

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The centralized facsimile number is (571) 273-8300.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

Sherry D. Brinkley Petitions Examiner Office of Petitions

Office of the Deputy Commissioner for Patent Examination Policy

Attachment: Advisory Action